

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

99-E-0410

IN THE MATTER OF THE LIQUIDATION OF  
TUFTS HEALTH PLAN OF NEW ENGLAND, INC.

**ORDER ESTABLISHING NOTICE PROCEDURES AND HEARING  
ON APPROVAL OF PLAN OF LIQUIDATION,  
FUNDING AND SETTLEMENT AGREEMENT,  
AND RELATED AGREEMENTS AND DOCUMENTS**

This cause coming on to be heard on the Motion Paula T. Rogers, Commissioner of the Department of Insurance of the State of New Hampshire, solely in her capacity as the Liquidator of Tufts Health Plan of New England, Inc., (the “Liquidator” and “TNE”, respectively), for an Order Establishing Notice Procedures and Hearing in connection with her motion (the “Approval Motion”) for approval of the Plan of Liquidation (the “Plan of Liquidation”), and a certain Funding and Settlement Agreement dated as of November 14, 2000 (the “Funding and Settlement Agreement”), including all other documents and agreements attached to and incorporated into the Funding and Settlement Agreement; and the court having considered the motion and finding that no notice thereof is required under the circumstances of this proceeding; and the court further finding that the notice procedures proposed by the Liquidator are fair and adequate, and satisfy the requirements for such notice under the provisions of RSA 402-C and other applicable law; IT IS HEREBY ORDERED AS FOLLOWS:

1. In addition to service of the Plan of Liquidation, the Funding and Settlement Agreement, the Approval Motion and this Order upon all counsel of record, the Liquidator shall mail a copy of this Order to all claimants who filed a proof of claim against TNE, via first class

mail, postage prepaid to the address shown on their respective proofs of claims. The Liquidator shall also post a copy of the Plan of Liquidation, the Funding and Settlement Agreement, the Approval Motion and this Order on the web site of the New Hampshire Insurance Department ([www.state.nh.us/insurance](http://www.state.nh.us/insurance), or such other web site as the New Hampshire Insurance Department shall use), and shall mail a copy of the foregoing documents to all persons who so request, which request may be made in writing, or by telephone at 1-888-766-9816, Mondays through Fridays from 8:30 am to 5 pm.

2. A hearing on the Approval Motion is scheduled for \_\_\_\_\_, commencing at \_\_\_\_ a.m./p.m., before the Honorable George L. Manias, or such other judge as may be sitting in his place and stead, at the Merrimack County Superior Court, 99 North State Street, Concord, NH 03301.

3. Any and all responses or objections to the Approval Motion shall be in writing, and filed with the Clerk of the Court at the above address on or before \_\_\_\_\_, 2000 at 4:00 p.m., with a copy delivered by that date and time to: Counsel to the Liquidator: Bruce A. Harwood, Sheehan Phinney Bass + Green, 1000 Elm Street, Box 3701, Manchester, NH 03105-3701; Walter J. Maroney, Senior Assistant Attorney General, Department of Justice, 33 Capitol Street, Concord, NH 03301; and Richard G. Liskov, White & Case, 1155 Avenue of the Americas, New York, NY 10036-2787; and Counsel to THP: John F. Teague, Upton, Sanders & Smith, 10 Centre Street, Box 90, Concord NH 03301; David Abelman, Tufts Health Plan, 333 Wyman Street, Box 9112, Waltham, MA 02454-9112; and Brian S. Hucker, McDermott Will & Emery, 227 West Monroe Street, Chicago, IL 60606.

Dated: November \_\_\_, 2000

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Presiding Justice

